

**Executive Summary – Enforcement Matter – Case No. 51509**  
**Targa Midstream Services LLC**  
**RN100222900**  
**Docket No. 2015-1677-AIR-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

Unauthorized emissions which are excessive emissions events.

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Mont Belvieu Complex, 10319 Highway 146, Mont Belvieu, Chambers County

**Type of Operation:**

Natural gas liquids processing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: Yes, 2016-0130-AIR-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** April 1, 2016

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$25,000

**Amount Deferred for Expedited Settlement:** \$0

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$12,500

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Supplemental Environmental Project ("SEP") Conditional Offset:** \$12,500

Name of SEP: Anahuac Independent School District (Third-Party Pre-Approved)

**Compliance History Classifications:**

Person/CN - Satisfactory

Site/RN - Satisfactory

**Major Source:** Yes

**Statutory Limit Adjustment:** \$10,500

**Applicable Penalty Policy:** April 2014

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** September 17, 2014

**Date(s) of NOE(s):** October 28, 2015

**Executive Summary – Enforcement Matter – Case No. 51509**  
**Targa Midstream Services LLC**  
**RN100222900**  
**Docket No. 2015-1677-AIR-E**

***Violation Information***

Failed to prevent unauthorized emissions [30 TEX. ADMIN. CODE § 116.115(b)(2)(F) and (c), New Source Review (“NSR”) Permit No. 5452, Special Conditions “SC” No. 1, NSR Permit No. 56431, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

On December 10, 2015, the Respondent submitted a corrective action plan (“CAP”) in accordance with the TCEQ letter dated October 28, 2015 to address the excessive emissions event that occurred on August 11, 2014 (Incident No. 202121).

**Technical Requirements:**

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).
2. The Order will also require the Respondent to:
  - a. Respond completely and adequately to all written requests for information concerning the submitted CAP within 15 days after the date of the such requests, or by any other deadline specified in writing;
  - b. Upon Commission approval of the CAP, implement the CAP in accordance with the approved schedule; and
  - c. Within 15 days upon completion of the CAP implementation, submit written certification to demonstrate compliance with b.

***Litigation Information***

**Date Petition(s) Filed:** N/A  
**Date Answer(s) Filed:** N/A  
**SOAH Referral Date:** N/A  
**Hearing Date(s):** N/A  
**Settlement Date:** N/A

**Executive Summary – Enforcement Matter – Case No. 51509**  
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***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Carol McGrath, Enforcement Division, Enforcement Team 4, MC R-13, (210) 403-4063; Melissa Cordell, Enforcement Division, MC 219, (512) 239-2483

**TCEQ SEP Coordinator:** Stuart Beckley, SEP Coordinator, Enforcement Division, MC 219, (512) 239-3565

**Respondent:** Francis Foret, Senior Vice President of Operations, Targa Midstream Services LLC, P.O. Box 10, Mont Belvieu, Texas 77580  
Bryan Crismon, Director of Operations, Targa Midstream Services LLC, P.O. Box 10, Mont Belvieu, Texas 77580

**Respondent's Attorney:** N/A



**Attachment A**  
**Docket Number: 2015-1677-AIR-E**  
**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Targa Midstream Services LLC</b>
<b>Penalty Amount:</b>	<b>Twenty-Five Thousand Dollars (\$25,000)</b>
<b>SEP Offset Amount:</b>	<b>Twelve Thousand Five Hundred Dollars (\$12,500)</b>
<b>Type of SEP:</b>	<b>Contribution to a Third-Party Pre-Approved SEP</b>
<b>Third-Party Administrator:</b>	<b>Anahuac Independent School District</b>
<b>Project Name:</b>	<b><i>Clean School Bus Project</i></b>
<b>Location of SEP:</b>	<b>Texas Air Quality Control Region 216, Houston - Galveston</b>

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

**a. Project**

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Anahuac Independent School District** for the *Clean School Bus Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to purchase a lower-emission school bus that is model year 2010 or newer ("Replacement Bus") to replace a bus that is model year 1995 ("Older Bus"), thus removing the Older Bus from the roads. The Third-Party Administrator shall ensure that the Replacement Bus has an engine that meets 2010 EPA Standards. The Third-Party Administrator certifies that the Older Bus is currently in use, driven on a regular route on a weekly basis for at least the past two years. The Third-Party Administrator shall own and operate the Replacement Bus for at least five years following the date of purchase. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

The SEP will benefit air quality by reducing harmful exhaust emissions from an older school bus. Older school bus engines emit larger amounts of nitrogen oxides and particulate matter, as well as other harmful pollutants such as volatile organic compounds and carbon monoxide than new buses. These pollutants contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma, especially in children. The Project will reduce these emissions by replacing a model year 1995 school bus with a new, lower-emission bus.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Anahuac Independent School District SEP** and shall mail the contribution with a copy of the Agreed Order to:

Anahuac Independent School District  
Attention: Rosie Womack, Business Manager  
P.O. Box 638  
Anahuac, Texas 77514

**3. Records and Reporting**

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Targa Midstream Services LLC  
Agreed Order - Attachment A

Texas Commission on Environmental Quality  
Enforcement Division  
Attention: SEP Coordinator, MC 219  
P.O. Box 13087  
Austin, Texas 78711-3087

#### 4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

Texas Commission on Environmental Quality  
Litigation Division  
Attention: SEP Coordinator, MC 175  
P.O. Box 13087  
Austin, Texas 78711-3087

#### 5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

#### 6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP Offset Amount identified in this Attachment A and in the Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.





# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

<b>DATES</b>	<b>Assigned</b>	2-Nov-2015	<b>Screening</b>	6-Nov-2015	<b>EPA Due</b>	
	<b>PCW</b>	9-Nov-2015				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	Targa Midstream Services LLC		
<b>Reg. Ent. Ref. No.</b>	RN100222900		
<b>Facility/Site Region</b>	12-Houston	<b>Major/Minor Source</b>	Major

## CASE INFORMATION

<b>Enf./Case ID No.</b>	51509	<b>No. of Violations</b>	1	
<b>Docket No.</b>	2015-1677-AIR-E	<b>Order Type</b>	Findings	
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No	
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Carol McGrath	
		<b>EC's Team</b>	Enforcement Team 4	
<b>Admin. Penalty \$ Limit Minimum</b>		\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1** \$25,000

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

**Compliance History** **42.0%** Adjustment **Subtotals 2, 3, & 7** \$10,500

Notes: Enhancement for one NOV with dissimilar violations and two orders with a denial of liability.

**Culpability** **No** **0.0%** Enhancement **Subtotal 4** \$0

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** **Subtotal 5** \$0

**Economic Benefit** **0.0%** Enhancement\* **Subtotal 6** \$0

Total EB Amounts \$875  
Estimated Cost of Compliance \$10,000  
\*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** **Final Subtotal** \$35,500

**OTHER FACTORS AS JUSTICE MAY REQUIRE** **0.0%** Adjustment \$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

**Final Penalty Amount** \$35,500

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** \$25,000

**DEFERRAL** **0.0%** Reduction Adjustment \$0

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

No deferral is recommended for Findings Orders.

**PAYABLE PENALTY** \$25,000

Screening Date 6-Nov-2015

Docket No. 2015-1677-AIR-E

PCW

Respondent Targa Midstream Services LLC

Policy Revision 4 (April 2014)

Case ID No. 51509

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100222900

Media [Statute] Air

Enf. Coordinator Carol McGrath

**Compliance History Worksheet**

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	0	0%
	Other written NOVs	1	2%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgments or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 42%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance  
History  
Notes

Enhancement for one NOV with dissimilar violations and two orders with a denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, &amp; 7) 42%

## &gt;&gt; Final Compliance History Adjustment

Final Adjustment Percentage \*capped at 100% 42%

Screening Date 6-Nov-2015

Docket No. 2015-1677-AIR-E

PCW

Respondent Targa Midstream Services LLC

Policy Revision 4 (April 2014)

Case ID No. 51509

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN100222900

Media [Statute] Air

Enf. Coordinator Carol McGrath

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 116.115(b)(2)(F) and (c), New Source Review ("NSR") Permit No. 5452, Special Conditions ("SC") No. 1, NSR Permit No. 56431, SC No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, the Respondent released 181,997 pounds ("lbs") of volatile organic compounds ("VOC") from the Fractionator Plant Fugitives Unit, Emissions Point Number ("EPN") FUG-FRAC, and 138.91 lbs of carbon monoxide, 70.4 lbs of nitrogen oxides, and 24.78 lbs of VOC from the Main Plant Flare, EPN FLRN-1, during an emissions event (Incident No. 202121) that began August 11, 2014 and lasted for one hour and ten minutes. The emissions event occurred due to an avoidable loss of pumping capacity in the Depropanizer Unit on the De-ethanizer (T-5) and the Depropanizer (T-7) resulting in a release of unauthorized emissions. This event was determined to be an excessive emissions event.

Base Penalty \$25,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	x		
Potential			

Percent 100.0%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$0

\$25,000

## Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$25,000

One daily event is recommended.

## Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$25,000

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$875

Violation Final Penalty Total \$35,500

This violation Final Assessed Penalty (adjusted for limits) \$25,000

# Economic Benefit Worksheet

Respondent Targa Midstream Services LLC  
Case ID No. 51509  
Reg. Ent. Reference No. RN100222900  
Media Air  
Violation No. 1

Percent Interest 5.0  
Years of Depreciation 15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount  
Item Description No commas or \$

## Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$10,000	11-Aug-2014	11-May-2016	1.75	\$875	n/a	\$875

Notes for DELAYED costs

Estimated cost to implement a corrective action plan. The Date Required is the date of the emissions event. The Final Date is the estimated date of compliance.

## Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$10,000

TOTAL

\$875



# Compliance History Report

**PENDING** Compliance History Report for CN601301559, RN100222900, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

**Customer, Respondent, or Owner/Operator:** CN601301559, Targa Midstream Services LLC **Classification:** SATISFACTORY **Rating:** 0.29

**Regulated Entity:** RN100222900, MONT BELVIEU COMPLEX **Classification:** SATISFACTORY **Rating:** 1.08

**Complexity Points:** 23

**Repeat Violator:** NO

**CH Group:** 03 - Oil and Gas Extraction

**Location:** 10319 HIGHWAY 146, MONT BELVIEU, CHAMBERS COUNTY, TX 77580,

**TCEQ Region:** REGION 12 - HOUSTON

## ID Number(s):

**POLLUTION PREVENTION PLANNING ID NUMBER**  
P03569

**AIR NEW SOURCE PERMITS REGISTRATION** 12790

**AIR NEW SOURCE PERMITS PERMIT** 18929

**AIR NEW SOURCE PERMITS REGISTRATION** 75496

**AIR NEW SOURCE PERMITS PERMIT** 56431

**AIR NEW SOURCE PERMITS EPA PERMIT PSDTX696M1**

**AIR NEW SOURCE PERMITS REGISTRATION** 82049

**AIR NEW SOURCE PERMITS REGISTRATION** 84814

**AIR NEW SOURCE PERMITS REGISTRATION** 89284

**AIR NEW SOURCE PERMITS REGISTRATION** 94786

**AIR NEW SOURCE PERMITS REGISTRATION** 97147

**AIR NEW SOURCE PERMITS REGISTRATION** 101895

**AIR NEW SOURCE PERMITS REGISTRATION** 109750

**AIR NEW SOURCE PERMITS REGISTRATION** 109040

**AIR NEW SOURCE PERMITS REGISTRATION** 110145

**AIR NEW SOURCE PERMITS REGISTRATION** 106129

**AIR NEW SOURCE PERMITS REGISTRATION** 119145

**AIR NEW SOURCE PERMITS EPA PERMIT** N214

**AIR NEW SOURCE PERMITS REGISTRATION** 113495

**AIR NEW SOURCE PERMITS EPA PERMIT GHGPSDTX26**

**AIR NEW SOURCE PERMITS REGISTRATION** 109309

**AIR OPERATING PERMITS PERMIT** 612

**INDUSTRIAL AND HAZARDOUS WASTE EPA ID**

TXD980625974

**AIR EMISSIONS INVENTORY ACCOUNT NUMBER** CI0022A

**AIR NEW SOURCE PERMITS PERMIT** 5452

**AIR NEW SOURCE PERMITS ACCOUNT NUMBER** CI0022A

**AIR NEW SOURCE PERMITS PERMIT** 22088

**AIR NEW SOURCE PERMITS AFS NUM** 4807100010

**AIR NEW SOURCE PERMITS PERMIT** 56435

**AIR NEW SOURCE PERMITS REGISTRATION** 81866

**AIR NEW SOURCE PERMITS REGISTRATION** 82076

**AIR NEW SOURCE PERMITS REGISTRATION** 91519

**AIR NEW SOURCE PERMITS REGISTRATION** 94872

**AIR NEW SOURCE PERMITS REGISTRATION** 98061

**AIR NEW SOURCE PERMITS PERMIT** 101616

**AIR NEW SOURCE PERMITS REGISTRATION** 129536

**AIR NEW SOURCE PERMITS REGISTRATION** 120000

**AIR NEW SOURCE PERMITS EPA PERMIT PSDTX817**

**AIR NEW SOURCE PERMITS REGISTRATION** 107237

**AIR NEW SOURCE PERMITS REGISTRATION** 131418

**AIR NEW SOURCE PERMITS REGISTRATION** 112896

**AIR NEW SOURCE PERMITS REGISTRATION** 109927

**AIR NEW SOURCE PERMITS REGISTRATION** 119978

**AIR NEW SOURCE PERMITS REGISTRATION** 118675

**AIR OPERATING PERMITS ACCOUNT NUMBER** CI0022A

**AIR OPERATING PERMITS PERMIT** 615

**INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE**

REGISTRATION # (SWR) 31048

**AIR EMISSIONS INVENTORY ACCOUNT NUMBER** CI0021C

**Compliance History Period:** September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015

**Date Compliance History Report Prepared:** November 03, 2015

**Agency Decision Requiring Compliance History:** Enforcement

**Component Period Selected:** November 03, 2010 to November 03, 2015

**TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.**

**Name:** Carol McGrath

**Phone:** (210) 403-4063

## Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

## **Components (Multimedia) for the Site Are Listed in Sections A - J**

### **A. Final Orders, court judgments, and consent decrees:**

- 1 Effective Date: 02/24/2013 ADMINORDER 2012-0654-AIR-E (1660 Order-Agreed Order With Denial)
- Classification: Moderate
- Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: General Terms and Conditions OP
- Special Term and Condition 3(B)(iv)(3) OP
- Description: Failed to maintain records of quarterly visible emissions observations from stationary vents for emissions units. Specifically, records of quarterly visible emissions observations were not being maintained for engines FE-1, FE-3, G-1, G-2, G-3, G-5, and G-6.
- Classification: Moderate
- Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)  
5C THSC Chapter 382 382.085(b)
- Description: Failed to conduct LDAR monitoring on 10,863 components in VOC service. Specifically, the Respondent did not conduct quarterly LDAR monitoring on 8,325 valves and 2,538 pressure relief valves that are two inches or less prior to March 2010.
- Classification: Minor
- Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(E)(iv)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: Special Term and Condition 1(A) OP
- Description: Failed to maintain records of the date leaking components were repaired. Specifically, from August 13, 2007 to August 2, 2010, compressors COMP2, COMP3, COMP5, 5-C1, 16-C1, 16-C2, and pump P7-7 were placed on delay of repair, but no records of repairs were made before they passed quarterly monitoring.
- Classification: Minor
- Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: Special Condition 3.E. PERMIT  
Special Condition 9.E. PERMIT  
Special Term and Condition 1(A) OP  
Special Term and Condition 8 OP
- Description: Failed to equip each open-ended line or valve with a cap, blind flange, plug, or a second valve. Specifically, 16 open-ended lines and/or valves in regular VOC service were documented during the period of September 12, 2009 through August 28, 2010.
- Classification: Minor
- Citation: 30 TAC Chapter 117, SubChapter B 117.310(f)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: Special Term and Condition 1(A) OP
- Description: Failed to restrict the operation of stationary diesel or dual-fuel engines for testing and maintenance to between the hours of 12:00 p.m. and 5:59 a.m. Specifically, the Respondent conducted a weekly test on engine FE-1 from 7:35 a.m. to 8:05 a.m. and engine FE-3 from 8:00 a.m. to 8:40 a.m. on December 21, 2009, and a bi-weekly test on engine G-3 from 7:35 a.m. to 8:05 a.m. and engine G-6 from 8:10 a.m. to 8:40 a.m. on February 3, 2011.
- Classification: Moderate
- Citation: 30 TAC Chapter 122, SubChapter B 122.142(b)(2)(B)  
5C THSC Chapter 382 382.085(b)
- Description: Failed to include applicable requirements of 30 TEX. ADMIN. CODE ch. 115, Subchapter D, Division 3 for Emission Point Numbers 1-5 in FOP No. 0615. Also, failed to specify that FUG-R-LOAD1 and FUG-R-LOAD2 are in the FUG-LOAD group.
- Classification: Minor
- Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: General Terms and Conditions OP
- Description: Failed to report all instances of deviations. Specifically, the semi-annual deviation reports for the reporting periods from August 27, 2009 through February 26, 2010 and February 27, 2010 through August 26, 2010 did not include six deviations.

See addendum for information regarding federal actions.

**B. Criminal convictions:** N/A

**C. Chronic excessive emissions events:** N/A

**D. The approval dates of investigations (CCEDS Inv. Track. No.):**

Item 1	December 23, 2010	(880150)
Item 2	January 06, 2011	(879427)
Item 3	April 08, 2011	(878135)
Item 4	February 08, 2013	(1056878)
Item 5	February 10, 2014	(1138433)
Item 6	April 24, 2014	(1124502)
Item 7	June 30, 2014	(1177372)
Item 8	October 22, 2014	(1191767)
Item 9	December 11, 2014	(1184162)
Item 10	January 20, 2015	(1217385)
Item 11	October 26, 2015	(1260403)

**E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	06/11/2015	(1229784)	CN601301559
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 122, SubChapter B 122.143(4) 30 TAC Chapter 122, SubChapter B 122.145(2)(A) 5C THSC Chapter 382 382.085(b) General Terms & Conditions OP		
	Description:	Failure to report all instances of deviation (Category B3).		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(c) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT NNN 60.665(I) 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.705(I) 5C THSC Chapter 382 382.085(b) Special Condition 8 PERMIT Special Terms & Conditions 11 OP Special Terms & Conditions 17 OP Special Terms & Conditions 1A OP		
	Description:	Failure to submit semi-annual reports for 40 CFR 60 NNN & 40 CFR 60 RRR(Category B3).		
	Self Report?	NO		Classification: Moderate
	Citation:	30 TAC Chapter 122, SubChapter B 122.142(b)(2) 5C THSC Chapter 382 382.085(b)		
	Description:	Failure to properly represent rule applicability in the Title V FOP O-612 for FUG-CT-4. (Category B3)		

**F. Environmental audits:** N/A

**G. Type of environmental management systems (EMSS):** N/A

**H. Voluntary on-site compliance assessment dates:** N/A

**I. Participation in a voluntary pollution reduction program:** N/A

**J. Early compliance:** N/A

**Sites Outside of Texas:** N/A





## *Addendum to Compliance History Federal Enforcement Actions*

**Reg Entity Name:** MONT BELVIEU FRACTIONATOR

**Reg Entity Add:** 10119 HWY. 146 N.

**Reg Entity City:** MONT BELVIEU

**Reg Entity No:** RN100222900

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**EPA Case No:** 06-2011-3302

**Order Issue Date (yyyymmdd):** 20101028

**Case Result:** Final Order No Penalty

**Statute:** CAA

**Sect of Statute:** 502

**Classification:** Minor

**Program:** State Permit Programs

**Citation:**

**Violation Type:**

**Cite Sect:**

**Cite Part:**

**Enforcement Action:** Administrative Compliance Orders

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
TARGA MIDSTREAM SERVICES LLC	§	
RN100222900	§	ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2015-1677-AIR-E

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Targa Midstream Services LLC ("Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that they have certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

### I. FINDINGS OF FACT

1. The Respondent owns and operates a natural gas liquids processing plant located at 10319 Highway 146 in Mont Belvieu, Chambers County, Texas (the "Plant").

2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. During an record review conducted on September 17, 2014, TCEQ staff documented that the Respondent released 181,997 pounds ("lbs") of volatile organic compounds ("VOC") from the Fractionator Plant Fugitives Unit, Emissions Point Number ("EPN") FUG-FRAC, and 138.91 lbs of carbon monoxide, 70.4 lbs of nitrogen oxides, and 24.78 lbs of VOC from the Main Plant Flare, EPN FLRN-1, during an emissions event (Incident No. 202121) that began August 11, 2014 and lasted for one hour and ten minutes. The emissions event occurred due to an avoidable loss of pumping capacity in the Depropanizer Unit on the De-ethanizer (T-5) and the Depropanizer (T-7) resulting in a release of unauthorized emissions. TCEQ staff determined that this event was an excessive emissions event.
4. The Respondent received notice of the violations on November 2, 2015.
5. The Executive Director recognizes that on December 10, 2015, the Respondent submitted a corrective action plan ("CAP") in accordance with the TCEQ letter dated October 28, 2015 to address the excessive emissions event that occurred on August 11, 2014 (Incident No. 202121).

## II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382, TEX. WATER CODE ch. 7, and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to prevent unauthorized emissions, in violation of 30 TEX. ADMIN. CODE § 116.115(b)(2)(F) and (c), New Source Review ("NSR") Permit No. 5452, Special Conditions ("SC") No. 1, NSR Permit No. 56431, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b).
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
4. An administrative penalty in the amount of Twenty-Five Thousand Dollars (\$25,000) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid Twelve Thousand Five Hundred Dollars (\$12,500) of the administrative penalty and Twelve Thousand Five Hundred Dollars (\$12,500) shall be conditionally offset by the Respondent's completion of a supplemental Environmental Project ("SEP").

### III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Twenty-Five Thousand Dollars (\$25,000) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Targa Midstream Services LLC, Docket No. 2015-1677-AIR-E" to:

Financial Administration Division, Revenue Operations Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section II, Paragraph 4 above, Twelve Thousand Five Hundred Dollars (\$12,500) of the assessed administrative penalty shall be offset with the condition that the SEP defined in Attachment A, incorporated herein by reference, is implemented by the Respondent. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The Respondent shall undertake the following technical requirements:
  - a. Respond completely and adequately, as determined by the Executive Director, to all written requests for information concerning the submitted CAP within 15 days after the date of the such requests, or by any other deadline specified in writing;
  - b. Upon Commission approval of the CAP, implement the CAP in accordance with the approved schedule; and
  - c. Within 15 days upon completion of the CAP implementation, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.b. The certification shall be notarized by a State of Texas Notary Public and the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Air Section Manager  
Houston Regional Office  
Texas Commission on Environmental Quality  
5425 Polk Avenue, Suite H  
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
8. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
9. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
10. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
11. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date



6/9/16

Date

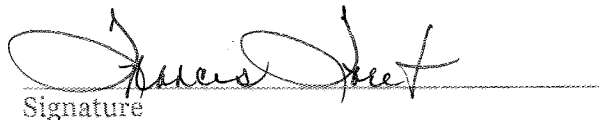
I, the undersigned, have read and understand the attached Agreed Order in the matter of Targa Midstream Services LLC. I am authorized to agree to the attached Agreed Order on behalf of Targa Midstream Services LLC, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Targa Midstream Services LLC waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions;
- and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



2/29/2016

Date

FRANCIS FORET  
Name (Printed or typed)  
Authorized Representative of  
Targa Midstream Services LLC

SR. VICE PRESIDENT OPERATIONS  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.



**Attachment A**  
**Docket Number: 2015-1677-AIR-E**  
**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>Targa Midstream Services LLC</b>
<b>Penalty Amount:</b>	<b>Twenty-Five Thousand Dollars (\$25,000)</b>
<b>SEP Offset Amount:</b>	<b>Twelve Thousand Five Hundred Dollars (\$12,500)</b>
<b>Type of SEP:</b>	<b>Contribution to a Third-Party Pre-Approved SEP</b>
<b>Third-Party Administrator:</b>	<b>Anahuac Independent School District</b>
<b>Project Name:</b>	<b><i>Clean School Bus Project</i></b>
<b>Location of SEP:</b>	<b>Texas Air Quality Control Region 216, Houston - Galveston</b>

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

**a. Project**

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Anahuac Independent School District** for the *Clean School Bus Project*. The contribution will be used in accordance with the SEP between the Third-Party Administrator and the TCEQ (the "Project"). Specifically, the SEP Offset Amount will be used to purchase a lower-emission school bus that is model year 2010 or newer ("Replacement Bus") to replace a bus that is model year 1995 ("Older Bus"), thus removing the Older Bus from the roads. The Third-Party Administrator shall ensure that the Replacement Bus has an engine that meets 2010 EPA Standards. The Third-Party Administrator certifies that the Older Bus is currently in use, driven on a regular route on a weekly basis for at least the past two years. The Third-Party Administrator shall own and operate the Replacement Bus for at least five years following the date of purchase. The SEP will be done in accordance with all federal, state, and local environmental laws and regulations.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director ("ED"), be applied to another pre-approved SEP.

Targa Midstream Services LLC  
Agreed Order - Attachment A

The Respondent's signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely in an effort to settle this enforcement action. The Respondent shall not profit in any manner from this SEP.

b. Environmental Benefit

The SEP will benefit air quality by reducing harmful exhaust emissions from an older school bus. Older school bus engines emit larger amounts of nitrogen oxides and particulate matter, as well as other harmful pollutants such as volatile organic compounds and carbon monoxide than new buses. These pollutants contribute to the formation of ozone and may cause or exacerbate a number of respiratory diseases, including asthma, especially in children. The Project will reduce these emissions by replacing a model year 1995 school bus with a new, lower-emission bus.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Anahuac Independent School District SEP** and shall mail the contribution with a copy of the Agreed Order to:

Anahuac Independent School District  
Attention: Rosie Womack, Business Manager  
P.O. Box 638  
Anahuac, Texas 77514

**3. Records and Reporting**

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Targa Midstream Services LLC  
Agreed Order - Attachment A

Texas Commission on Environmental Quality  
Enforcement Division  
Attention: SEP Coordinator, MC 219  
P.O. Box 13087  
Austin, Texas 78711-3087

#### 4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

Texas Commission on Environmental Quality  
Litigation Division  
Attention: SEP Coordinator, MC 175  
P.O. Box 13087  
Austin, Texas 78711-3087

#### 5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

#### 6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

Targa Midstream Services LLC  
Agreed Order - Attachment A

**7. Other SEPs by TCEQ or Other Agencies**

The SEP Offset Amount identified in this Attachment A and in the Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.